110

The Mysore Gazette.

Vol. 40] PUBLISHED BY AUTHORITY. [No. 2.

BANGALORE, THURSDAY, JANUARY 12, 1905.

PART III.

Legislative Measures and Rules thereunder.

NOTIFICATION.

No. Fl. 2784—S. R. 31-04-2, dated 14th November 1904.

In exercise of the powers conferred by Section 29 of the Mysore Excise Regulation, V of 1901, and in exercise of all other powers enabling them in this behalf, the Government of His Highness the Maharaja of Mysore hereby make the following amendments to the Foreign Liquor Rules as published under Government Notification No. 11469—Ex. F. 3-1901, dated 10th January 1902, and as amended under Government Notification Nos. 70—R. F. 119-93, dated the 18th July 1902, and 690A—R. F. 119-93, dated the 10th June 1903.

(1) Insert the following under para 10 of Rule II.

11. License for sale of liquor in dining-carriages on the Railway in the Mysore State.

Under this license which shall be granted by the Excise Commissioner, no liquor shall be sold otherwise than to persons who are travelling on the train to which the dining-carriages are attached for their own *bona fide* consumption during the journey.

(2) In line 2, para 1 of Rule VI, after the words "special license" add the words "dining-car license."

(3) In line 2 of Rule XI, after the words "special licenses", add the words "and dining-car licenses."

By Order,
B. K. VENKATA VARADA IYENGAR,
Secy. to Govt., Gen. & Rev. Dept.

MYSORE EXCISE DEPARTMENT.

F. 12.

License for the sale of liquors in dining-carriages on the.....Railway.

Register No. of license.—

Name of License-holder.—

I.....the Excise Commissioner in Mysore.....
do hereby authorize.....to sell foreign spirits or foreign fermented liquors in dining-carriages on the.....between.....within the limits of Mysore State, subject to the conditions prescribed below, and to the payment of the prescribed license fee.

CONDITIONS.

I. The holder of this license is bound to conform, in every way, to the Excise Law in force for the time being and to all the rules framed thereunder.

II. This license is granted for the sale of foreign wines, foreign fermented liquors, foreign spirits, at strength down to 15° U. P. ordinarily but with the special permission (of the Excise Commissioner) at specified lower strengths, and double distilled or rectified spirits and other special liquors manufactured in the Mysore Government Central Distillery. No draught beer or porter of any kind shall be sold under this license.

III. The licensee shall furnish the Head barman in charge of each dining-carriage with a certificate duly signed by him authorizing him (subject to the conditions of the license specified therein) to sell liquors on the licensee's behalf. The licensee shall be responsible for the acts of every person so authorized by him in conducting the business of the said dining-carriage or carriages and of all his servants working therein.

IV. The licensee shall not keep or sell toddy or foreign liquor or country liquor of any kind or of any strength which he is not authorized to sell by this license or methylated spirits rendered effectually and permanently unfit for human consumption.

V. The privilege extends to the sale of liquors only to *bona fide* passengers, who are travelling on the train to which the said dining-carriage is attached, for their *bona fide* consumption during the journey.

VI. (1) No kind of spirituous or fermented liquors shall be sold or given in any quantity whatever to any troops, British or Native, or their families, except with the permission in writing of the commanding officer, or some person duly authorized by that officer in this behalf, and such written authority shall be retained by the holder of the license as his voucher for such sale and shall be produced, when required, to any Excise officer. When travelling alone or in small parties of twenty and under, not under the command of an officer, one pint of beer per person may be given provided he is sober.

(2) No kind of spirituous or fermented liquors shall be sold or given in any quantity whatever to any child under 16 years of age, or to any sepoy, member of the Police force or of the Excise staff or servant of a Railway Company, whilst on duty.

(3) A descriptive price list of the liquors sold shall be hung up in a conspicuous place in the said dining-carriage.

VII. (*a*) The holder of this license shall not fraudulently dilute or adulterate any such spirituous or fermented liquors as aforesaid, or sell the same knowing the same to have been fraudulently diluted or adulterated or sell or have spurious liquor of any kind.

(*b*) Nor knowingly permit drunkenness or other disorderly behaviour in the said dining-carriage.

(*c*) Nor wilfully and knowingly harbour or conceal therein any European soldier who is a deserter.

(*d*) He shall give immediate information to the nearest Police officer of any suspected person who may resort to any of his dining-carriages, and of every irregularity committed thereat tending to disturb the public peace.

VIII. The licensee's dining-carriage or carriages and all liquors therein contained shall at all times be open to inspection by any officer of the Revenue, Police or Excise Department authorized in this behalf.

IX. The Police shall at all times have free access to all parts of the licensee's dining-carriages for Police purposes.

X. The holder of this license shall, upon requisition by any officer not below the grade of an Assistant Commissioner, be bound to produce to such officer or to any Excise officer empowered by such officer, the original invoice showing the importation of all spirits and fermented liquors for the sale of which this license is granted and to allow the samples of the spirits to be tested.

XI. The holder of this license may, in the event of his closing his business, sell or transfer to the holder of any other license, any spirit or foreign fermented liquors which the latter is, by his license, empowered to sell. Such sale or transfer shall not be effected without previously obtaining the prescribed transport permit.

XII. The licensee shall keep in each of his dining-carriages and furnish to the Excise Commissioner in Mysore, on demand, true accounts of the descriptions, strength and quantities of liquor received into and sold therein. The account shall be plainly and correctly written up to date daily in a bound book and shall at all times be open to inspection by the Excise Commissioner, Deputy Commissioner or any other officer of the Revenue, Police or Excise Department of the District through which the train is passing at the time.

XIII. This license is not transferable by sale, gift, mortgage or otherwise except with the sanction of the Excise Commissioner, and no persons except those mentioned in it shall have power to act under it.

XIV. A breach of any of the conditions above specified will render the license-holder and the head barman and the servants referred to in Condition III, liable to all the penalties provided in that behalf by the Excise Law and the rules thereunder and shall also render this license liable to cancellation by the Excise Commissioner at his discretion.

XV. This license shall continue in force till the 30th June 190 .

OFFICE OF THE EXCISE COMMISSIONER IN MYSORE,
Dated 190 . .

Excise Commissioner
in Mysore.